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| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/056,271 | JANIK ET AL. | |
| | Examiner | Art Unit | |
| | Gordon J. Stock | 2877 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment received on 3/28/07.
2. ☒ The allowed claim(s) is/are 1,8-21,24,27,33-37,41,43,44,47,51 and 52.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. The Amendment received on March 28, 2007 has been entered into the record.

Allowable Subject Matter

2. **Claims 1, 8-21, 24, 27, 33-37, 41, 43, 44, 47, 51, and 52** are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

As to **claim 1**, the prior art of record, taken alone or in combination, fails to disclose or render obvious in a thin film analysis system the particular energy beam source being configured to heat only a small area of the contaminant layer until the small area is vaporized and the particular thin film analysis module, in combination with the rest of the limitations of **claims 1, 8-21, and 24**. In addition, Elliott (5,669,979) fails to teach a thin film analysis system comprising the particular thin film analysis module (Elliot teaches a surface cleaning station comprising a cleaning monitor and illuminating source: Fig. 15 (520, 518). See Allowable Subject Matter in Action 20061216). In addition, see applicant's arguments on pages 13-14 in Appeal Brief filed October 10, 2006.

As to **claim 27**, please see applicant's arguments from line 9 of page 14 to line 12 of page 16 in Appeal Brief filed on October 10, 2006. **Claims 33-37** are allowable by virtue of dependency on allowed **claim 27**.

As to **claim 41**, the prior art of record, taken alone or in combination, fails to disclose or render obvious in a thin film analysis system means for performing analyzing a test sample means for directing an energy beam at the contaminant layer, in combination with the rest of the limitations of **claims 41, 43, 44, and 47**. In addition, Elliott (5,669,979) fails to teach a thin film

Art Unit: 2877

analysis system comprising the means for directing an energy beam and means for performing analysis on the thin film (Elliot teaches a surface cleaning station comprising a cleaning monitor and illuminating source (Fig. 15: 520, 518). See Allowable Subject Matter in Action 20061216).

In addition, see applicant's arguments on page 16 line 17 to page 17 line 6.

As to **claims 51 and 52**, please see applicant's arguments on pages 18-19 in Appeal Brief filed on October 10, 2006.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

3. Applicant's arguments, see Remarks pages 10-11, filed March 28, 2007, with respect to the previous rejection of claims 27, 33-27 and 52 under 35 U.S.C. 101 have been fully considered and are persuasive. Due to the amendment to the claims to include a generating step (which finds support in Applicant's specification page 5 paragraph 0010 and page 11 paragraph 0025) the previous rejection of claims 27, 33-27, and 52 under 35 U.S.C. 101 has been withdrawn.

Fax/Telephone Numbers

If the applicant wishes to send a fax dealing with either a proposed amendment or a discussion with a phone interview, then the fax should:

1) Contain either a statement "DRAFT" or "PROPOSED AMENDMENT" on the fax cover sheet; and

Art Unit: 2877

2) Should be unsigned by the attorney or agent.

This will ensure that it will not be entered into the case and will be forwarded to the examiner as quickly as possible.

Papers related to the application may be submitted to Group 2800 by Fax transmission. Papers should be faxed to Group 2800 via the PTO Fax machine located in Crystal Plaza 4. The form of such papers must conform to the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CP4 Fax Machine number is: (571) 273-8300

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gordon J. Stock whose telephone number is (571) 272-2431.

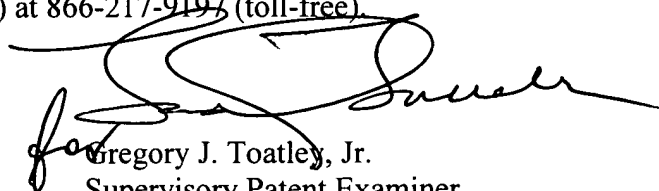
The examiner can normally be reached on Monday-Friday, 10:00 a.m. - 6:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr., can be reached at 571-272-2800 ext 77.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private Pair system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DS

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March 30, 2007


for Gregory J. Toatley, Jr.
Supervisory Patent Examiner
Art Unit 2877
LAYLA G. LAUCHMAN
PRIMARY EXAMINER